


<b>Application Number</b> 	<b>Application/Control No.</b> 10/602,231	<b>Applicant(s)/Patent under Reexamination</b> KONDO, TETSUJIRO	

<b>Document Code - DISQ</b>	<b>Internal Document – DO NOT MAIL</b>
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<b>TERMINAL DISCLAIMER</b>	<input type="checkbox"/> <b>APPROVED</b>	<input checked="" type="checkbox"/> <b>DISAPPROVED</b>
Date Filed : January 27, 2006	<b>This patent is subject to a Terminal Disclaimer</b>	

<b>Approved/Disapproved by:</b>
Henry D. Jefferson

**T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT**

Date:	<input type="text" value="08-Feb-06"/>	APPL. S. N:	<input type="text" value="10602231"/>
To Examiner:	<input type="text" value="COUSO, JOSE L."/>	Art Unit	<input type="text" value="2621"/>
From	<input type="text" value="Jefferson, Henry"/> PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	<input type="text" value="JEF-2D68"/>

**SUBJECT:** Decision on Terminal Disclaimer(T.D.) filed:

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete,

please initial, date and return this memo to me. THANK YOU.

- ☐ The T.D. is PROPER and has been recorded (see 14.23).
- ☒ The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):
- ☐ The TD fee of  has not been submitted nor is there any authorization in the application file for the use of a deposit account
  - ☐ The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).
  - ☐ The T.D. lacks the enforceable only during common ownership clause - needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).
  - ☐ The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).
  - ☒ The person who signed the T.D.:
    - ☒ is not an attorney "of record" (see 14.29 and 14.29.01).
    - ☐ has failed to state his/her capacity to sign for the business entity (see 14.28).
    - ☐ is not recognized as an officer of the assignee (see 14.29 & possible 14.29.02).
  - ☐ No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).
  - ☐ The T.D. is not signed (see 14.26 & 14.26.03).
  - ☐ The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).
  - ☐ The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).
  - ☐ The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).
  - ☐ Other:
  - ☐ Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.

Ex.Initials: \_\_\_\_\_ Date: \_\_\_\_\_

Log Date: \_\_\_\_\_



PATENT  
450108-4519.2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Tetsujiro KONDO  
Serial No. : 10/602,231  
For : INTEGRATIVE ENCODING SYSTEM AND ADAPTIVE  
DECODING SYSTEM  
Filed : June 24, 2003  
Examiner : Jose Couso  
Art Unit : 2621

745 Fifth Avenue  
New York, NY 10151  
Tel. (212) 588-0800

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 24, 2006.

Darren M. Simon, Reg. No. 47,946

(Name of Applicant, Assignee or Registered Representative)

*Darren M. Simon*

Signature

January 24, 2006

Date of Signature

**TERMINAL DISCLAIMER AND STATEMENT UNDER 37 CFR 3.73(b)**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

The below-named attorney of record, authorized to sign this disclaimer, hereby disclaims the terminal part of any patent granted on said application which would extend beyond the expiration date of the full statutory term of United States Patent No. 6,480,630, and hereby agrees that any patent so granted shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,480,630. This agreement is to run with any patent granted on said application and to be binding upon the

grantor, its successors or assigns. Title to the present application is in Sony Corporation, a corporation of Japan, by virtue of an assignment from the inventors of the parent application (U.S. Patent 6,480,630), from which the present application is a continuation. The assignment was recorded in the Patent and Trademark Office on March 9, 1999 at Reel 010242, Frame 0098.

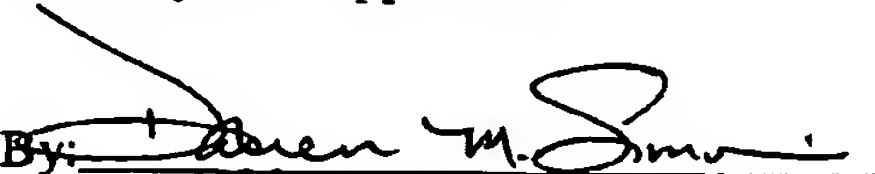
The evidentiary documents accompanying or referred to in the Terminal Disclaimer have been reviewed by the undersigned and it is certified that to the best of the assignee's knowledge and belief, title is in the assignee seeking to take action.

The below-named attorney of record does not disclaim any terminal part of any patent granted on said application prior to the expiration date of the full statutory term of United States Patent No. 6,480,630 in the event that said U.S. Patent 6,480,630 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

Enclosed is a check in the amount of \$130.00 to cover the cost of this Terminal Disclaimer. Please charge any insufficient fees or credit any overpayment associated with this Terminal Disclaimer to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By: 

Darren M. Simon  
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